

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

SIMPLEAIR, INC.,

Plaintiff,

v.

MICROSOFT CORPORATION, ET AL.,

Defendants.

Civil Action No. 2:11-cv-416 (JRG)

SIMPLEAIR, INC.,

Plaintiff,

v.

GOOGLE INC., et al.,

Defendants.

Civil Action No. 2:13-cv-587 (JRG)

Joint Stipulation and Request for Order of Dismissal

Plaintiff SimpleAir, Inc. (“SimpleAir”) and Defendants Google Inc. (“Google”) and Motorola Mobility LLC (“Motorola”) hereby stipulate and agree as follows:

1. SimpleAir’s claims for infringement of U.S. Patent 6,021,433 (the ‘433 Patent) asserted in the above-captioned matters against Google and Motorola will be dismissed with prejudice;
2. SimpleAir’s claims for infringement of U.S. Patent 7,035,914 (the ‘914 Patent) asserted in the above-captioned matters against Motorola will be dismissed with prejudice;
3. Motorola’s counterclaims asserted in the above-captioned matters against SimpleAir will be dismissed without prejudice;

4. This stipulation and the accompanying proposed order of dismissal shall not be admissible for any purpose in the above-captioned matters;

5. The parties reserve their respective rights as to the meaning or effect of the order of dismissal to the extent a dispute on the subject later arises; and

6. Each party will bear its own attorney's fees and costs incurred in connection with this action with respect to the claims and counterclaims being dismissed.

The parties respectfully request that the Court enter the accompanying proposed Order of Dismissal that reflects this agreement.

Dated: January 10, 2014

Respectfully submitted,

By: /s/ Jeff Eichmann

John Jeffrey Eichmann

CA State Bar no. 227472

(admitted to practice before the U.S. District Court
for the Eastern District of Texas)

Simon Franzini

CA State Bar no. 287631

(admitted to practice before the U.S. District Court
for the Eastern District of Texas)

DOVEL & LUNER, LLP

201 Santa Monica Blvd., Suite 600

Santa Monica, CA 90401

Telephone: 310-656-7066

Facsimile: 310-657-7069

Email: simon@dovellaw.com

S. Calvin Capshaw

State Bar No. 03783900

Email: ccapshaw@capshawlaw.com

Elizabeth L. DeRieux

State Bar No. 05770585

Email: ederieux@capshawlaw.com

Capshaw DeRieux LLP

114 E. Commerce

Gladewater, Texas 75647

Telephone: (903) 236-9800

Facsimile: (903) 236-8787

ATTORNEYS FOR PLAINTIFF,
SIMPLEAIR, INC.

/s/ E. Danielle Williams

E. Danielle T. Williams (NC Bar No. 23283)
1001 W. Fourth Street
Winston-Salem, NC 27101
Telephone: (336) 607-7300
Facsimile: (336) 607-7500
dtwilliams@kilpatricktownsend.com

Mitchell G. Stockwell (GA Bar No. 682912)
Russ A. Korn (GA Bar No. 428492)
1100 Peachtree Street, Suite 2800
Atlanta, Georgia 30309-4528
Telephone: (404) 815-6500
Facsimile: (404) 815-6555
mstockwell@kilpatricktownsend.com
rkorn@kilpatricktownsend.com

Jessica L. Hannah (CA Bar No. 261802)
Two Embarcadero Center Eighth Floor
San Francisco, CA 94111
Telephone: (415) 576-0200
Facsimile: (415) 576-0300
jhannah@kilpatricktownsend.com

Jennifer Parker Ainsworth
Wilson, Robertson & Cornelius, P.C.
Texas State Bar No. 00784720
One American Center
909 ESE Loop 323, Suite 400
Tyler, TX 75701
Tel. (903) 509-5000
Fax (903) 509-5092
Email: jainsworth@wilsonlawfirm.com

ATTORNEYS FOR DEFENDANTS GOOGLE,
INC. AND MOTOROLA MOBILITY LLC

Certificate of Service

I hereby certify that on January 10, 2014, a copy of the foregoing was electronically filed via CM/ECF, which will send a Notice of Electronic Filing to and constitute proof of service on all counsel who are deemed to have consented to electronic service per Local Rule CV-5(a)(3)

/s/ Jeff Eichmann

Jeff Eichmann